

EXHIBIT C

**TO THE DECLARATION OF STEVE W. BERMAN
IN SUPPORT OF MOTION TO COMPEL BMS TO ANSWER
INTERROGATORIES**



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Via Facsimile

Mr. Lyndon M. Tretter
Hogan & Hartson LLP
875 Third Avenue
New York, NY 10022

Re:

Dear Lyndon:

AMP is protected by the federal government, so your interrogatory answer telling us that the data is publicly available is wrong.

Second, we agreed to receive your production and see if we can accept it in lieu of answers. We cannot. It is not complete, it is not timely, and it is not readily manipulated into meaningful information. Given the above, with deadlines approaching, we now insist on answers. So that your "confusion" is eliminated, plaintiffs now request answers, not objections that are not well taken.

Sincerely,

Steve W. Berman

SWB:taw

cc: All Counsel of Record (via Verilaw)